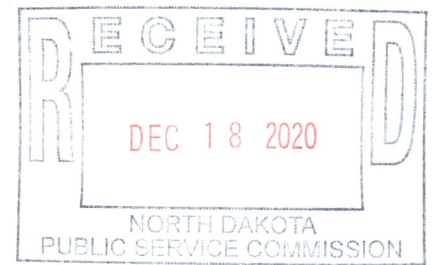


**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**



Montana-Dakota Utilities Co.  
2020 Natural Gas Rate Increase -  
Application

**Case No. PU-20-379**

**OAH File No. 20200318**

**ORDER GRANTING TRADE SECRET PROTECTION**

1. Montana-Dakota Utilities Co., a Division of MDU Resources Group Inc., (“MDU” or the “Company”), applied for trade secret protection on September 18, 2020, pursuant to N.D. Admin. Code § 69-02-09-01, and requested a protective order in accordance with the provisions of the N.D. Admin. Code.
2. The trade secret information has been identified as information provided as a result of Data Request No. 2.1, portions of Ann E. Buckley’s testimony. It is trade secret information related to confidential reports received from outside sources.
3. Commission staff, as required by N.D. Admin. Code § 69-02-09-03, has made a prima facie recommendation that the information is relevant for the hearing of this case and is a trade secret as defined by N.D.C.C. § 47-25.1-01(4).
4. The information for which trade secret protection is sought is “cost information pertaining to buying and selling of goods and services which has been kept confidential and has not been previously publicly disclosed” as provided in N.D.C.C. § 44-04-18.4(2)(a), and could be of unfair advantage to competitors if not protected or could have economic value to potential suppliers, vendors, or other competitors. The information is not readily ascertainable by other proper means to such competitors, vendors, suppliers, or other persons.

5. If competitors, vendors or other suppliers had access to such confidential information, it could adversely affect prices for future material or services and drive up costs to the ultimate disadvantage of consumers and rate payers. N.D.C.C. § 44-04-18.4.

6. This Hearing Officer has fully reviewed and considered the application of MDU and the recommendations of Commission staff, and determines that the information is relevant for the hearing of this case, that the information is not a public record under N.D.C.C. § 44-04-18 because the information is a trade secret as defined by N.D.C.C. § 47-25.1-01(4), and that the information is entitled to protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09, all as set forth above;


**IT IS, THEREFORE, ORDERED** that MDU is hereby granted trade secret protection pursuant to and in accordance with the provisions of N.D.C.C. ch. 47-25.1 and N.D. Admin. Code ch. 69-02-09 for the information identified in this Order; and it is further

**ORDERED** that this order shall not constitute precedent for a determination of entitlement to trade secret protection for any information submitted upon any subsequent application.

Dated in Bismarck, North Dakota, this 15<sup>th</sup> day of December 2020.

State of North Dakota  
Public Service Commission

By: \_\_\_\_\_

  
Timothy J. Dawson  
Administrative Law Judge  
Office of Administrative Hearings  
2911 North 14<sup>th</sup> Street – Suite 303  
Bismarck, North Dakota 58503

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

Montana-Dakota Utilities Co.  
2020 Natural Gas Rate Increase -  
Application

**Case No. PU-20-379**  
**OAH File No. 20200318**

**CERTIFICATION OF SERVICE**

The undersigned certifies that the original of the **ORDER GRANTING TRADE SECRET PROTECTION** was mailed, inside mail, at the State Capitol, on the 16 day of December 2020, to:

John Hamre  
Public Service Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

and that true and correct copies of the above document were mailed, regular mail, on the 16 day of December 2020, to

David A. Tschider  
Tschider & Smith  
P O Box 754  
Bismarck, ND 58502-0754

John B. Coffman  
John B. Coffman, LLC  
871 Tuxedo Boulevard  
St. Louis, MO 63119-2044

Karl Liepitz  
MDU Resources Group, Inc.  
P O Box 5650  
Bismarck, ND 58506-5650

Paul Sanderson  
Evenson Sanderson, PC  
101 South 3<sup>rd</sup> Street – Suite 5  
Bismarck, ND 58501

and that a true and correct copy of the above document was mailed, inside mail, at the State Capitol on the 16 day of December 2020, to:

John Schuh  
General Counsel  
Public Service Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

Brian Johnson  
PSC Staff Counsel  
Public Service Commission  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

OFFICE OF ADMINISTRATIVE HEARINGS  
Timothy J. Dawson, Administrative Law Judge

  
\_\_\_\_\_  
Louise Wetzels